

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 05-cr-153-01-SM

Nicholas Spears

O R D E R


Defendant Spears' motion to continue the final pretrial conference and trial is granted (document 11). Trial has been rescheduled for the January 2006 trial period. Defendant Spears shall file a waiver of speedy trial rights not later than September 19, 2005. On the filing of such waiver, his continuance shall be effective.

The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence under the circumstances.

**Final Pretrial Conference:** December 19, 2005 at 11:00 a.m.

**Jury Selection:** January 4, 2006 at 9:30 a.m.

SO ORDERED.

  
Steven J. McAuliffe  
Chief Judge

September 9 , 2005

cc: Jorel Booker, Esq.  
Terry Ollila, AUSA  
US Probation  
US Marshal